

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA

FILED
ASHEVILLE, NC

FEB 15 2023

AFFIDAVIT

U.S. DISTRICT COURT
W. DISTRICT OF N.C.

1. I, Kevin Allred, am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco Firearms and Explosives (ATF). I have been so employed since March 2016. I am currently assigned to the Asheville North Carolina Satellite Office. As an ATF Special Agent, I am responsible for conducting investigations of Federal Firearms Laws, Explosives Laws and Arson Laws. I am a graduate of the University of North Carolina at Charlotte, the Charlotte Mecklenburg (NC) Police Department training academy, the Federal Law Enforcement Training Center, ATF Criminal Investigator Training Program and National Academy, and the Special Agent Basic Training School.

2. During my tenure with ATF I have been involved in various degrees and capacities with numerous investigations, including: the illegal possession of firearms by convicted felons; the theft of firearms from federal firearms licensee's; the possession and use of firearms by narcotics traffickers; illegal sale or possession of machineguns and short-barrel shotguns or rifles; arsons of structures which affect interstate commerce; the manufacturing and dealing of firearms without a license; and the manufacturing and possession or use of illegal explosive devices.

3. Prior to joining the ATF, I was a Charlotte Police Department officer and detective for approximately 15 years. As a Charlotte Police officer and detective, I participated and led investigations involving vehicular homicides, narcotics, and other violent crimes.

4. The statements contained in this Affidavit are based on information I have learned through my own investigation, experience, and background as an ATF agent and through that of other law enforcement officers. Because this Affidavit is being submitted for the limited purpose of securing a Criminal Complaint and Arrest Warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause to believe that JOSHUA ADAM DICKEY violated Title 18, United States Code, Section 922(u), by knowingly stealing a firearm from the premises and

business inventory of a federal firearms licensee in the Western District of North Carolina.

5. On January 22, 2023, Asheville Police Department responded to On Target, located at 4 Busbee View Road in Asheville, North Carolina in reference to two suspects stealing two firearms from the federal firearms licensee business. It was learned that the suspect(s) stole a Glock, model 42, .380 caliber pistol bearing serial number AGAW759 and a FNH, model FNS-9, 9mm pistol bearing serial number GKU0082309.

6. Store surveillance video shows that a male suspect, later identified as Joshua Adam DICKEY, came into the store with a juvenile female. The suspects picked out two firearms to rent to shoot at the indoor range. Upon completion of shooting, the juvenile female left and began walking towards the car. DICKEY, while in possession of On Target's firearms, stole the firearms as he exited the store after the juvenile and got into a silver Nissan Altima and left the parking lot.

7. On Target reported the firearms stolen.

8. Shortly after the news ran a story about the theft, a confidential source provided information identifying Joshua DICKEY as the suspect in the video.

9. SA Allred researched DICKEY and determined that DICKEY had a 1999 Nissan Altima registered to him.

10. On February 14, 2023, Special Agent Kevin Allred and Special Agent Jason Brown began looking for the suspect and suspect vehicle. Agents located the suspect vehicle at DICKEY's residence of 166 Hanover Street in Asheville, North Carolina.

11. While at the residence, DICKEY called Special Agent Allred. Special Agent Allred recorded the phone conversation. DICKEY admitted to stealing the firearms during the recorded phone conversation. During the call, DICKEY stated that he was not at the residence, however people were visible through the window of the residence. After a period of time, DICKEY opened the door to the residence. Agents then made contact with DICKEY in the front yard of the residence. A juvenile was also present who agents later

determined to be the juvenile present with DICKY at On Target the day of the theft.

12. DICKY admitted to being involved in the theft. DICKY stated that one of the stolen firearms was inside the residence in DICKY's bedroom, under the dog bed. DICKY allowed agents inside. SA Allred located a Glock, model 42, .380 caliber pistol bearing serial number AGAW759. This firearm was confirmed to have been stolen from On Target. DICKY admitted to selling the other stolen firearm.

13. The juvenile suspect also confessed to being with DICKY during the theft, but the juvenile was unaware DICKY stole the firearms until they both got into the vehicle and began leaving the parking lot.

14. DICKY was arrested for stealing firearms from a federal firearms licensee.

15. None of the firearms stolen from On Target were manufactured in North Carolina, therefore both firearms travelled in interstate commerce.

This affidavit has been reviewed by Special Assistant United States Attorney Annabelle M. Chambers

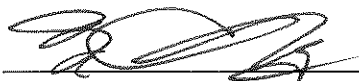


February 15, 2023

Kevin Allred, Special Agent, ATF

Bureau of Alcohol, Tobacco, Firearms and Explosives

The Affiant attested under oath to the contents of this Affidavit, which was submitted to me on this 15th day of February, 2023, at 1045AM



W. Carleton Metcalf

United States Magistrate Judge